

Notice of Allowability

Application No.

10/773,323

Examiner

LaTanya Bibbins

Applicant(s)

MATSUMOTO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 04 September 2007.
2. ☒ The allowed claim(s) is/are 9-11 and 13-19 (to be renumbered 1-10).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. In the remarks filed on September 4, 2007, Applicant cancelled claims 1-8, and submitted arguments for allowability of pending claims 9-11 and 13-19.

2. **Claims 9-11 and 13-19** are allowed.

3. The following is an examiner's statement of reasons for allowance:

Regarding claims 9, 10, and 13-19, none of the references of record, alone or in combination, suggest or fairly teach the limitations of independent claim 9 in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to disclose a holographic recording medium comprising: a recording layer in which information is to be holographically recorded; and a light-shielding layer which faces a main surface of the recording layer and selectively transmits a recording light, **wherein a ratio of a first average transmittance to a second average transmittance is 15 or larger, the first average transmittance being an average transmittance of the light-shielding layer within a wavelength range of $\lambda_{\text{rec}}-10$ nm to $\lambda_{\text{rec}}+10$ nm where λ_{rec} representing a wavelength of the recording light, and the second average transmittance being an average transmittance of the light-shielding layer within a wavelength range of 300 nm to 600 nm.**

Regarding claim 11, none of the references of record, alone or in combination, suggest or fairly teach the limitations of independent claim 11 in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to disclose a holographic recording medium comprising: a recording layer in which information is to

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be holographically recorded; and a light-shielding layer which faces a main surface of the recording layer and selectively transmits a recording light, **wherein the light-shielding layer includes a laminate of dielectric layers, materials of the dielectric layers adjacent to each other being different from each other.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Relevant Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tsujioka et al. (US Patent Number 5,592,461) disclose an optical recording medium provided with a masking layer on a side of a recording layer for receiving a reproducing beam. The masking layer is prepared from that containing photochromic dye molecules having absorption at the wavelength of the reproducing beam and causing a photon mode reaction by absorbing the reproducing beam to be reduced in absorption.

Horimai et al. (US PGPub Number 2006/0109774 A1) disclose an optical information recording medium having a structure in which irregular reflection of information light and recording/reproducing light from the reflective layer of an optical information record medium is prevented, thereby reducing the noise appearing on the

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reproduced image. The optical information recording medium for recording information by holography comprises a transparent substrate, a recording layer where information is recorded by an interference pattern, and a filter layer formed between the transparent substrate and the recording layer and adapted to transmit a light of a first wavelength and reflect a light of a second wavelength. The filter layer of the thus structured optical information recording medium transmits a light of the first wavelength (for example, red light) and reflects a light of the second wavelength (for example, green light). As a result, two lights of different wavelengths can be separated and used for different purposes without being influenced by each other.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaTanya Bibbins whose telephone number is (571) 270-1125. The examiner can normally be reached on Monday through Friday 7:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

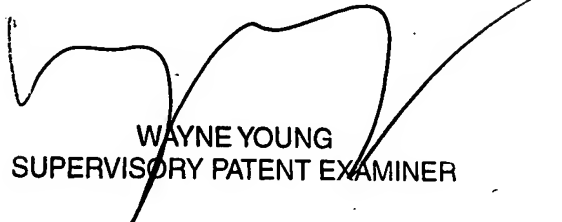
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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